



ANGUS S. KING, JR.  
GOVERNOR

STATE OF MAINE  
DEPARTMENT OF PUBLIC SAFETY  
MAINE EMERGENCY MEDICAL SERVICES  
16 EDISON DRIVE  
AUGUSTA, MAINE  
04330

MICHAEL F. KELLY  
COMMISSIONER

JAY BRADSHAW, EMT-P  
DIRECTOR

**Investigations Committee Meeting  
Wednesday, February 3, 1999  
Maine EMS Conference Room, Augusta**

**Meeting Minutes**

**Present:** S. Leach, Chair; C. Pillsbury; R. Doughty

**Staff:** D. White; B. Montejo

**1. CALL TO ORDER** - The meeting was called to order at 11:19 a.m.

**A. Additions/Deletions to the Agenda**

- ♦ Terry Cook Jr
- ♦ John Gallagher
- ♦ Mary Kate Moody

**B. Accept Minutes of January 6, 1999, meeting**

The minutes of the January 6, 1999, meeting were reviewed.

**MOTION: TO ACCEPT THE MINUTES OF THE JANUARY 6, 1999, MEETING  
(Doughty; Pillsbury-motion carries).**

**2. INVESTIGATIONS**

**A. Anne Miller/ St George Volunteer Firefighter Association - Informal Conference**

D. White advised the Committee that the informal conferences scheduled for Anne Miller and the St. George Volunteer Firefighter Association was postponed per request of Anne Miller (due to scheduling conflicts). **Consensus of the Committee was to reschedule the informal conference for Wednesday, March 3, 1999 at 1:00 p.m. at Maine EMS in Augusta.**

## **B. John Sawicki - Informal Conference**

The committee conducted an informal conference with John Sawicki regarding case #97-15. Present for the informal conference were committee members S. Leach, C. Pillsbury and R. Doughty; as well as D. White, B. Montejo, and John Sawicki.

The committee entered executive session at 1:13 p.m. for the purpose of conducting the informal conference and exited executive session at 1:38 p.m. following conclusion of the informal conference.

Committee discussion ensued regarding the investigation of Mr. Sawicki and, action to be taken.

**MOTION: THAT LICENSEE JOHN SAWICKI'S OCTOBER 6, 1993, CONVICTION IN THE STATE OF NEW YORK FOR FALSIFYING BUSINESS RECORDS, AND HIS SUBSEQUENT FAILURE TO LIST SAID CONVICTION ON HIS JUNE 1995 APPLICATION FOR RENEWAL OF HIS MAINE EMS PARAMEDIC LICENSE #15645 CONSTITUTES A VIOLATION OF THE MAINE EMS RULES §12(A)(1), 12(A)(2), 12(A)(4), 12(A)(14), AND 12(A)(16); THAT MR. SAWICKI'S APPLICATION FOR RENEWAL OF HIS MAINE EMS PARAMEDIC LICENSE, RECEIVED BY MAINE EMS ON JULY 14, 1998, BE DENIED; AND, THAT MR. SAWICKI NOT BE ELIGIBLE FOR RENEWAL OF HIS LICENSE FOR A PERIOD OF TIME EQUAL TO THE PERIOD OF PROBATION WHICH REMAINED FOLLOWING HIS AUGUST 1995 LICENSE RENEWAL (1194 DAYS). (Doughty; Pillsbury-motion carries).**

## **C. Carmel Ambulance Service - Consent Agreement**

D. White provided the Committee with a draft version of a proposed consent agreement for the Carmel Ambulance Service. The proposed Consent Agreement would address several concerns that were raised by the Maine EMS investigation, the Northeastern EMS Regional Office and the Northeastern EMS Regional Medical Director. No Committee action required at this time.

## **D. John Gallagher - Cases # 99-01 & 99-02**

D. White reported that Maine EMS has initiated investigations based upon a complaint received from the Mid Coast EMS office which indicated that licensee John Gallagher may have falsified CEH documents in an attempt to use the documents for renewal of his EMS license. D. White provided information and documents concerning the investigation, and indicated that Mr. Gallagher admits to having falsified the CEH roster in question, and that his intent was to use the CEH for relicensure. D. White also informed the Committee that Mr. Gallagher has not yet responded to the January 27, 1999, notices of investigation, but that the matter is being brought to the Committee to determine if a consent agreement might be reached in this matter.

The Committee discussed Mr. Gallagher's conduct as an EMS instructor - in falsifying the CEH reports - and his conduct as a an EMS licensee who submitted the fraudulent education for relicensure. The Regional office has temporarily suspended their sponsorship of Mr. Gallagher as an Instructor Coordinator.

**MOTION: THE COMMITTEE FINDS THAT JOHN GALLAGHER FALSIFIED CONTINUING EDUCATION HOUR (CEH) DOCUMENTS AS AN EMS INSTRUCTOR AND, SUBMITTED THE AFOREMENTIONED CEH DOCUMENTS WITH THE INTENT THAT THE DOCUMENTS BE USED FOR RENEWAL OF HIS MAINE EMS LICENSE #06158, SAID CONDUCT WHICH CONSTITUTES A VIOLATION OF SECTIONS 12(A)(1), 12(A)(2), AND 12(A)(16), OF THE MAINE EMS RULES (DATED SEPTEMBER 1, 1996). THEREFORE, THE COMMITTEE DIRECTS STAFF TO PURSUE A CONSENT AGREEMENT WITH MR. GALLAGHER FOR: (1) SUSPENSION OF HIS AUTHORITY TO COORDINATE OR INSTRUCT MAINE EMS CEH PROGRAMS OR MAINE EMS LICENSURE COURSES FOR A PERIOD OF THREE YEARS FROM THE EXECUTION OF THE CONSENT AGREEMENT; AND, (2) DENIAL OF MR. GALLAGHER'S APPLICATION FOR RENEWAL OF HIS MAINE EMS LICENSE WITH THE PROVISION THAT MR. GALLAGHER SHALL NOT BE ELIGIBLE TO APPLY FOR LICENSURE FOR A PERIOD OF THREE YEARS FROM THE EXECUTION OF THE CONSENT AGREEMENT (Pillsbury; Doughty - motion carries with Leach abstaining).**

**E. Mary Kate Moody**

D. White reported that Maine EMS has received information alleging that licensee Mary Kate Moody (Maine EMS Paramedic License #12723) practiced EMS patient care during the period of time in which she did not hold a valid Maine EMS license - March 1, 1997 to January 26, 1999.

**MOTION: TO INITIATE AN INVESTIGATION OF LICENSEE MARY KATE MOODY REGARDING ALLEGATIONS THAT SHE PRACTICED EMERGENCY MEDICAL CARE WITHOUT A LICENSE (Doughty;Pillsbury Motion Carries).**

**F. Michael Spadinger**

D. White reported that Maine EMS has received information alleging that licensee Michael Spadinger (Maine EMS EMT-Basic License #12395) practiced EMS patient care during the period of time in which he did not hold a valid Maine EMS license - February 1, 1998 to January 29, 1999.

**MOTION: TO INITIATE AN INVESTIGATION OF LICENSEE MICHAEL SPADINGER REGARDING ALLEGATIONS THAT HE PRACTICED EMERGENCY MEDICAL CARE WITHOUT A LICENSE (Doughty;Pillsbury Motion Carries).**

**3. APPLICATIONS**

**A. Joshua Stevens**

B. Montejo advised the Committee of a recently received license application from Joshua Stevens of Windham in which the applicant indicates a history of a single conviction for Theft, Class E in 1997. Committee discussion ensued.

**MOTION: THAT PROVIDED THE SBI AND POLICE REPORTS DO NOT INDICATE ANY ADDITIONAL CONVICTIONS OR THREAT TO PUBLIC SAFETY, THAT MAINE EMS ENTER INTO A CONSENT AGREEMENT WITH APPLICANT JOSHUA STEVENS FOR ISSUANCE OF A THREE YEAR CONDITIONAL LICENSE WITH THE STIPULATION THAT: IF THE APPLICANT HAS A CRIMINAL CHARGE FILED AGAINST HIM IN A STATE OR FEDERAL COURT DURING THE PERIOD OF LICENSURE, HE SHALL IMMEDIATELY AND UNCONDITIONALLY SURRENDER HIS EMS LICENSE TO THE BOARD.**  
(Doughty; Pillsbury-motion carries).

**B. Terry Cook Jr.**

D. White advised the Committee of a recently received license application from Terry Cook Jr in which the applicant indicates a history of a (single) 1993 conviction for Assault, Class D. Committee discussion ensued.

**MOTION: THAT THE BOARD ENTER INTO A CONSENT AGREEMENT WITH APPLICANT TERRY COOK JR. FOR ISSUANCE OF A THREE YEAR CONDITIONAL LICENSE WITH THE STIPULATION THAT: IF THE APPLICANT HAS A CRIMINAL CHARGE FILED AGAINST HIM IN A STATE OR FEDERAL COURT DURING THE PERIOD OF LICENSURE, HE SHALL IMMEDIATELY AND UNCONDITIONALLY SURRENDER HIS EMS LICENSE TO THE BOARD .**  
(Doughty; Pillsbury-motion carries).

**4. OTHER**

**A. Update of current cases**

Staff updated the Committee on the 18 cases pending Staff, Committee, Board, or Administrative Court action..

**5. NEXT MEETING**

**A. Set Agenda** - To be set prior to meeting

**B. Set Date and Time** - The next meeting of the Committee will be on March 3, 1999, following the Maine EMS Board meeting.

**6. ADJOURNMENT** - The meeting was adjourned at 2:46 p.m.

Respectfully Submitted,

Drexell White  
Bill Montejo